IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 920 OF 2005
IN
SUIT NO.4559 OF 1995

Sunder Ghumarimal Golani. ..Plaintiff.
V/s.
Dhiraj V. Sanghavi & Ors. ..Defendants.
And
Parwan constructions P.Ltd. ..Applicants.

WITH

CHAMBER SUMMONS NO. 914 OF 2005
IN
SUIT NO.3327 OF 1996

Glorimex Pvt.Ltd. ..Plaintiff.
V/s.
M. V. Sanghavi & Ors. ..Defendants.
And
Parwan constructions P.Ltd. ..Applicants.

AND

CHAMBER SUMMONS NO. 916 OF 2005
IN
SUIT NO.2453 OF 1996

Master Anand N.Bachhawat. ..Plaintiff.
V/s.
M.V. Sanghavi & Ors. ..Defendants.
And
Parwan constructions P.Ltd. ..Applicants.

AND

CHAMBER SUMMONS NO. 919 OF 2005
IN
SUIT NO.3990 OF 1996

Master Anand N. Bhachhawat. ..Plaintiff.
V/s.
Muktaben V. Sanghavi & Ors. ..Defendants.
And
Parwan constructions P.Ltd. ..Applicants.

Mr. Piyush Shah for Plaintiff.

Mr.Tolat i/b L.C.Tolat & co. for applicants.

CORAM: A.M.KHANWILKAR,J

DATE : SEPTEMBER 14, 2005.

P.C. :

1. As conditional order has been complied with, chamber summons is taken on record and heard on merits alongwith the companion matters.

2. Counsel for the plaintiff has opposed this chamber summons. However, I see no reason to depart from the view taken in the companion chamber summons, which are already decided in the favour of the applicants. Counsel for the plaintiff contends that same proceedings were initiated, in which the applicants' predecessor was party and applicants were bound by the decisions in those proceedings. That aspect cannot prevent me from considering the present application, which is only for the limited relief of directing the applicants to be joined as defendants in the suit. The relief as prayed in the chamber summons will have to be granted without prejudice to the rights and contentions of the parties on merits of the case. Accordingly, this chamber summons will have to be granted for the same reasons as stated in the companion chamber summonses.

3. Chamber summons is made absolute in terms of prayer clause (a) and (b). No order as to costs. Amendment to be carried out within four weeks.